imprisonment. Hence, no matter how negligent the prisoner may be in his own defence, the State will not suffer the loss of one of its citizens. More than this; his defence to-day is conducted wholly by his counsel, and the influence of his presence as a factor in determining the decision of the case is insignificant. For these reasons it may be said that the absence of the prisoner must be a matter of indifference, since neither party can be prejudiced thereby. While, however, all this may be admitted as true, yet there can be little question that, as a rule of criminal procedure, the presence of the accused at his trial is, in all cases save misdemeanors, indispensable. Such being the case, it would seem that while no practical injustice would be done by the removal of a disorderly prisoner from the court-room, as a question of procedure it would be better to keep him present, putting him under whatever restraint may be necessary in order to allow the trial to continue.

A UNITED STATES BANKRUPTCY LAW. — The establishment of a federal bankruptcy law was proposed by twelve different bills introduced in the first session of the Fifty-fourth Congress. Aside from a consideration of the relative merits of these bills, the need of a uniform law of bankruptcy is apparent. It is necessary for the assistance of debtors, the protection of creditors, and the furtherance of national commercial interests. Few, indeed, deny the necessity; State bankruptcy statutes are inadequate, because they cannot under the federal Constitution deal with debts existing outside the limits of their respective States. Honest debtors, therefore, who wish to pay their creditors fairly and then to start fresh, are prevented perhaps by one obdurate creditor in another State who will not agree to the composition offered. Creditors, on the other hand, have no protection against fraudulent preferences on the part of debtors living in other States; so that from both points of view the commercial equilibrium of the nation is disturbed.

The Constitution of the United States gave Congress power to pass a national bankruptcy law; and the exercise of this power was thought as much a matter of course as the exercise of the power to establish a judicial system. The event has not equalled the expectation; and although several laws have from time to time been passed, the nation has during the greater part of its existence been without a federal law of bankruptcy. The first law was passed in 1800, only to be repealed three years later. The second act, in 1841, followed the panic of 1837–38, and was repealed thirteen months after becoming a law. The third act had a longer life; it was passed in 1867, and remained in force eleven years. In June, 1878, it was repealed; and no law has since then been enacted. These bankruptcy acts, it is to be noted, in every case came into existence in times of great financial depression. The present time also is one of depression; in fact, the depression has been the greatest that the country has known since 1874; and the immediate need of a bankruptcy law is pressing. It must not be supposed, however, that the need is temporary; hard times do not create the necessity, they merely accentuate it. The former acts were repealed because of defects in their machinery, not because when business revived they were no longer needed. The need still remains for an equitable law, perfect in its details, which may become a permanence.